

**REMARKS**

In response to the Office Action (“Action”) dated October 13, 2006, Applicants have amended claims 1 and 7. Claims 1-27 are pending. Applicants respectfully request that the Examiner reconsider and withdraw all outstanding objections and rejections.

**1. Claim Objections**

Page 2 of the Action objects to claim 1 because of informalities alleging the “preamble begins by stating that the claimed invention is a method, but concludes with ‘...the *process* comprising...’”

Claim 1 has been amended to recite the “the ~~process~~ method comprising.” Applicants respectfully request that the objection be withdrawn.

**2. Claim Rejections Under 35 U.S.C. §§ 102(e) and 103(a).**

The Action rejects claims 1-6, 8, 10-15, 17, 19-24 and 26 under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent 6,721,405 to Nolting et al. (“Nolting”). Claims 7, 16 and 25 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Nolting in view of U.S. Patent No. 6,636,488 to Ginter et al. (“Ginter”). Claims 9, 18 and 27 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Nolting in view of U.S. Patent No. 6,253,326 to Linke et al. (“Linke”). Applicants respectfully traverse.

Before responding to the rejections, Applicants note that their appears to be a misunderstanding of the claimed invention based on the references applied in the Action. Applicants provide the following example excerpted from the Application to further explain

exemplary embodiments of the invention. Page 2, lines 2-8 of the instant application, for example, provide an exemplary embodiment that may describe various features recited in the claims. These lines recite that:

The invention relates to a system and method for capturing and analyzing statistics or data related to operation of a report system. A report system provides informational and transactional content, in the form of a report, to a user (also referred to as a subscriber), such as via a web posting, e-mail, voice and other channels. Content may include informational, message or other forms of content, and may be in the form of a report. The captured statistics or data enables analysis of the report execution, as well as analysis of the report system itself and its performance. (Emphasis added.)

Thus, these lines describe capturing statistics or data related to operation and/or performance of a report system. The references, particularly Nolting, are not related to capturing statistics or data related to operation and/or performance of a report system, as is discussed in further detail below.

A. Response to the Rejection of Claim 1

For at least the following reasons, Nolting does not anticipate amended claim 1.

Amended claim 1 recites:

A computer-implemented method for capturing at least one statistic or data regarding performance operation of a business intelligence reporting system that generates business intelligence reports based on requests submitted to perform analysis of data contained in a database, the method comprising the steps of:  
gathering at least one statistic or data related to the performance operation *of the reporting system while the reporting system is operating*; and  
generating at least one output based on the gathered at least one statistic or data.  
(Emphasis added.)

Nolting does not disclose “gathering at least one statistic or data related to the performance operation *of the reporting system while the reporting system is operating*” (emphasis added), as recited in claim 1. To reject these claim features, the Action relies on

column 8, lines 16-60 and column 10, lines 14-19 of Nolting. See Action, page 4. These cited columns disclose loading “call records” into a database to enable analytical processing of a telephony network. See Nolting, FIG. 1, col. 8, ll. 16-17. Nolting further discloses that information derived from traffic analysis enables a carrier to determine the volume of interconnect traffic, and where the interconnect traffic enters and leaves the carrier’s network. See Nolting, FIG. 1, col. 8, ll. 52-54. It is readily apparent that, based on the citations of Nolting provided in the Action, Nolting is directed to a system that monitors traffic over a telephony network.

However, the cited columns of Nolting are not directed to gathering statistics or data on a performance operation of a business intelligence reporting system while the reporting system is operating. Claim 1 specifically recites “gathering at least one statistic or data related to the performance operation *of the reporting system while the reporting system* is operating” (emphasis added). This claim language clearly differs from the system of Nolting in the columns cited in the Action as the cited columns do not discuss a business intelligence reporting system. It is unclear how the Office construes the cited columns as disclosing a business intelligence reporting system.

Applicants respectfully request that the Office clarify its position as to what the Office is construing as a business intelligence reporting system.

In an effort to expedite prosecution, Applicants have identified that Nolting does disclose a device that compiles data into reports. However, this device of Nolting that generates reports does not anticipate amended claim 1. Nolting discloses an On-Line Analytical Processing (OLAP) Multi-dimensional Database (MDDb) 80 that “runs over . . . applications to analyze

prepared call details and compile data into reports, for output to a user's terminal 9.”

(Emphasis added.) See Nolting, FIG. 1, col. 10, ll. 53-56. Nolting relates to monitoring traffic exchanged between carrier networks 3<sub>1</sub>-3<sub>3</sub>. See Nolting, FIG. 1, col. 8, l. 16-col. 10, l. 19.

Nolting does not, however, appear to disclose monitoring the performance of the OLAP MDDDB 80. More particularly, Nolting does not appear to disclose gathering a statistic or data on a performance operation of the OLAP MDDDB 80 while the OLAP MDDDB 80 is operating. Hence, Nolting does not disclose “gathering at least one statistic or data related to the performance operation *of the reporting system* while the *reporting system* is operating” (emphasis added), as recited in claim 1. Thus, claim 1 is allowable over Nolting and allowance thereof is respectfully requested. Claims 2-27 also are in condition for allowance for reasons analogous to those given in support of claim 1.

B. Response to the Rejections of Claims 8, 17, and 26

Claims 8, 17, and 26 also are independently allowable over Nolting for at least the following reasons. Claim 8 recites the “computer-implemented method according to claim 1, wherein the *reporting system* is an OLAP system” (emphasis added).

Based on the combined claim elements of claims 1 and 8, the Action appears to be arguing that Nolting discloses gathering at least one statistic or data related to the performance operation of an OLAP system while the OLAP system is operating. To support this assertion, the Action cites column 10, lines 20-33 and 53-56 (see Action, page 8), which disclose that “OLAP process 80 runs . . . applications to analyze the prepared call details and compile data

into reports, for output to a user's terminal 9." See Nolting, col. 10, ll. 53-56. Applicants respectfully disagree that the cited portions of Nolting anticipate claim 8.

As discussed above, Nolting does not disclose gathering at least one statistic or data related to the performance operation of an OLAP 80 while the OLAP 80 is operating. The cited columns of Nolting do not even disclose gathering any information related to the performance of the OLAP 80 while the OLAP 80 is operating. Instead, the information analyzed by the OLAP 80 in Nolting relates to the traffic exchanged between the first, second, and third carrier networks 3<sub>1</sub>-3<sub>3</sub>. See Nolting, FIG. 1, col. 8, l. 61- col. 9, l. 8, col. 12, ll. 1-9. Nolting does not, however, disclose gathering at least one statistic or data related to the performance operation of an OLAP 80 while the OLAP 80 is operating. Therefore, Nolting does not disclose "computer-implemented method according to claim 1, wherein the *reporting system* is an OLAP system" (emphasis added), as recited in claim 8. Claims 17 and 26 also recite that the reporting system is an OLAP system, and hence Nolting also does not anticipate these claims for analogous reasons.

Accordingly, claims 8, 17, and 26 are independently allowable over Nolting and allowance thereof is respectfully requested.

Therefore, all of claims 1-27 are in condition for allowance and allowance thereof is respectfully requested.

**CONCLUSION**

In view of the foregoing amendments and remarks, it is respectfully submitted that this application is in condition for allowance. If the Examiner believes that prosecution and allowance of the application will be expedited through an interview, whether personal or telephonic, the Examiner is invited to telephone the undersigned with any suggestions leading to the favorable disposition of the application.

It is believed that no additional fees are due for filing this Response. However, the Director is hereby authorized to treat any current or future reply, requiring a petition for an extension of time for its timely submission as incorporating a petition for extension of time for the appropriate length of time. Applicants also authorize the Director to charge all required fees, fees under 37 C.F.R. §1.17, or all required extension of time fees, to the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,

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Dated: January 16, 2007 (first business day after Holiday)  
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